

**To:** Yeh, Alice[Yeh.Alice@epa.gov]  
**Cc:** Flanagan, Sarah[Flanagan.Sarah@epa.gov]; Fajardo, Juan[Fajardo.Juan@epa.gov]; 'NTammi@covanta.com'[NTammi@covanta.com]; 'Gary.Gengel@lw.com'[Gary.Gengel@lw.com]  
**From:** Kelly, Barbara  
**Sent:** Fri 1/20/2017 10:14:12 PM  
**Subject:** FW: Lower Passaic River Study Area: Covanta Essex Company De Minimis Submittal 2245058 - Covanta January 20, 2017 Supplemental EPA Nexus Submittal.PDF  
Apex Supplemental Lead Source Report Final with Attach 1-20-2017.pdf

Dear Ms Yeh,

Please accept the attached supplemental letter report and Apex technical evaluation submitted on behalf of Covanta Essex Company regarding its alleged nexus to the Lower Passaic River Study Area Operable Unit of the Diamond Alkali Superfund Site. Notably, Lead is the Only COC Identified in the ROD That Appears in the Covanta Nexus Documents on Six Occasions. This Supplemental Evaluation Documents that the Lead Exceedances are Attributable to Off-Site Sources.

We will forward a hard copy via overnight mail. Please advise if you do not receive the hard copies of the documents on Monday.

Respectfully,

Barbara H. Kelly

Barbara Kelly  
Attorney at Law  
Wilson Elser Moskowitz Edelman & Dicker LLP  
200 Campus Drive  
Florham Park, NJ 07932-0668  
973.735.5765 (Direct)  
609.213.8589 (Cell)  
973.624.0800 (Main)  
973.624.0808 (Fax)  
barbara.kelly@wilsonelser.com

CONFIDENTIALITY NOTICE: This electronic message is intended to be viewed only by the individual or entity to whom it is addressed. It may contain

information that is privileged, confidential and exempt from disclosure under applicable law. Any dissemination, distribution or copying of this communication is strictly prohibited without our prior permission. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, or if you have received this communication in error, please notify us immediately by return e-mail and delete the original message and any copies of it from your computer system. For further information about Wilson, Elser, Moskowitz, Edelman & Dicker LLP, please see our website at [www.wilsonelser.com](http://www.wilsonelser.com) or refer to any of our offices. Thank you.